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6-15-2018

## OB-18SA-3301 Clarification of the Removal Process

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*OB-18SA-3301: Clarification of the Removal Process*

- 1   Whereas:    The Student Government of the University of North Florida was established to represent student  
2                   concerns in all University wide matters, and;
- 3   Whereas:    The Senate is the legislative body of the University of North Florida's Student Government given  
4                   the responsibility of carrying out such legislative acts that are necessary and proper for the Student  
5                   Body of the University of North Florida, and;
- 6   Whereas:    Legislation dealing with necessary and proper statutory revisions to the System of Statutes shall  
7                   be considered by the Senate, and;
- 8   Whereas:    The Executive Staff and Executive Agency Director/Assistant Directors are appointed by the  
9                   President and not subject to confirmation by the Senate, and;
- 10   Whereas:   The Executive Staff and Executive Agency Director/Assistant Directors are currently susceptible  
11                to impeachment from Senate, creating a contradiction in Title XI, and;
- 12   Whereas:   The Agency Advisory Board members may only be removed from the board by a two-thirds (2/3)  
13                vote of the Senate, and;
- 14   Whereas:   There is some confusion in Title V with regard to the timeline on merit, and;
- 15   Whereas:   There is confusion with court membership for Judicial Complaints, and;
- 16   Whereas:   There is a discrepancy in the impeachment process outlined in Title VII and Article VII, and;
- 17   Whereas:   It is important to adjust the required amount of Associate Justices in each Court in order to  
18                accommodate different schedules, absences, or vacancies in the Judicial Branch.
- 19   Therefore:   The following necessary and proper revisions to Title V, Title VII, and Title XI are being  
20                proposed:



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**TITLE V: THE JUDICIAL BRANCH**

**Chapter 500: Authority of the Judicial Branch**

500.1 In accordance with the Constitution, the Judicial Branch shall have the power of Judicial Review over all Executive and Legislative Acts. This power shall include and be limited as prescribed by law.

500.2 The Judicial Branch shall be responsible for the Judicial Policies and Procedures. The Judicial Policies and Procedures is a living document which may only be changed through a simple majority vote of the Judicial Branch.

**Chapter 501: Composition of the Judicial Branch**

501.1 The Judicial Branch shall be composed of:

A. Chief Justice

B. Deputy Chief Justice

C. Seven (7) Associate Justices

501.2 The chain of command shall consist of the Chief Justice, the Deputy Chief Justice, and the Associate Justices in order of tenure.

501.3 The Chief Justice may create a volunteer position to assist the Judicial Branch with clerical tasks. This volunteer position's title and duties shall be outlined in the Judicial Policies and Procedures. This position will exist at the discretion of the Chief Justice and may be dismissed at any time.

**Chapter 502: Chief Justice**

502.1 The Chief Justice shall be elected by the Judicial Branch during the spring semester to a term of one (1) year as outlined in the Judicial Policies and Procedures.

502.2 The Chief Justice, with majority approval of the Judicial Branch, shall be able to remove from a case any Justice whom they deem to have a conflict of interest.

502.3 If the Chief Justice is unavailable to fulfill his or her duty of administering the "Oath of Office," it may be administered by another Justice of the Judicial Branch or by the Senate President



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502.4 The Chief Justice may dismiss the Deputy Chief Justice at any time for any reason. The Judicial Branch may override the Chief Justice by a two-thirds (2/3) vote at the next regularly-scheduled Judicial Branch meeting.

502.5 Other responsibilities of the Chief Justice shall be outlined in the Judicial Policies and Procedures.

#### **Chapter 503: Deputy Chief Justice**

503.1 The Deputy Chief Justice shall be appointed by the Chief Justice and confirmed by the Judicial Branch as outlined in the Judicial Policies and Procedures.

503.2 The Deputy Chief Justice shall assume the duties of the Chief Justice in the event of their absence.

503.3 All Duties of the Deputy Chief Justice shall be outlined in the Judicial Policies and Procedures.

#### **Chapter 504: Appointment to the Judiciary**

504.1 Any individual interested in joining the Judiciary shall fill out an application form and submit it to the President or proper designee.

504.2 In the event of a vacancy on the Judiciary, the President shall forward a qualified nominee to the Government Oversight Committee and the Senate.

504.3 The nominee shall present themselves at the next Government Oversight Committee Meeting and Senate meeting, to receive majority approval of the aforementioned bodies. If appointed, the new justice shall be installed as outlined in Chapter 902 of these Statutes.

#### **Chapter 505: Jurisdiction of the Court**

505.2 In accordance with Article IV, Section 5 of the Constitution the power of Judicial Review shall extend to cover the actions of organizations operating under Student Government, a Student Government Officer, any person seeking office within Student Government or any legislative act enacted by Student Government.

505.3 In accordance with Article VI, Special Joint Resolutions that propose friendly amendments to the SG Constitution shall be submitted to the Judicial Branch prior to the bill taking effect. The Judicial Branch shall meet to discuss the proposed changes and determine if there is a conflict with the friendly definition stated in Article VI. If the changes are approved unanimously by the Judicial Branch, the Special Joint Resolution shall take effect.



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505.5 Any and all judgments rendered in response to a legal and proper petition must be within the purview of the complaint.

#### **Chapter 506: Judicial Review**

506.1 The Judicial Branch shall conduct hearings in response to petitions for Judicial Review.

506.2 General Judicial Review

General Judicial Reviews may be filed when there is a discrepancy in Executive or Legislative action in which a student wishes the Judicial Branch to investigate further, issue a binding interpretation of appropriate Student Government Law, and/or reverse, or negate any official decision made by any Student Government official(s).

A. Petitions of General Judicial Review shall be filed with the Chief Justice and shall contain a case brief to be disseminated to the Justices immediately upon the Chief Justice receiving the petition.

B. All cases shall be reviewed by the Chief Justice and a decision for merit be issued within three (3) business days with the exception of an interpretation by the Attorney General. ~~The Chief Justice must issue a written decision to the Judicial Branch within three (3) business days.~~ Any member of the Judicial Branch may petition to hold a vote within two (2) business days after the original filing of the petition the merit decision is issued to overrule the Chief Justice's decision. ~~on merit~~ The Judicial Branch needs a simple majority to overrule the Chief Justice's decision.

C. Upon a finding of merit, the Chief Justice shall call a designated hearing before the Judicial Branch to occur within fifteen (15) business days of the original filing of the petition.

D. Judicial Review Hearings shall include a Public Remarks section. Time allowances will be at the discretion of the Chief Justice

E. Further General Judicial Review procedures may be outlined in the Judicial Hearing Guidelines Policies and Procedures.

#### **Chapter 507: Judicial Complaint**

507.1 Judicial Complaints may be filed when an alleged violation of Student Government law has occurred.

507.2 The student alleging that the violation occurred shall bring their complaint to the attention of the Attorney General before filing with the Court. At this point the Attorney General shall determine whether this complaint is an issue involving the Student Body at Large or the interests of Student Government. If the Attorney General determines that the complaint holds interest for the Student Body at Large or the Student Government, then the Attorney General may file



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and prosecute the complaint. If the Attorney General does not find the abovementioned factors in the complaint, the Attorney General may leave it up to the student as to whether or not they wish to file and prosecute the complaint.

507.3 In the event the Attorney General is unable to prosecute a Judicial Complaint, the A&S fee paying student who files the Judicial Complaint will become the petitioner of the Complaint. The complainant will have the option to appoint any willing A&S fee paying student to assist them in proving their complaint.

507.4 For Judicial Complaints, the Judicial Branch shall be separated into two courts, the Primary Court and the Supreme Court. The Chief Justice will assign justices as defined in the Judicial Branch Policies and Procedures.

507.5 The Primary Court

A. The Primary Court shall be composed of the Deputy Chief Justice and a majority of all active Associate Justices ~~four (4) Associate Justices~~ appointed by the Chief Justice. All violations will be reviewed for merit and adjudicated by this court.

B. The Deputy Chief Justice shall review the complaint for merit within three (3) business days of receiving the complaint. The Deputy Chief Justice shall decide if the complaint has merit on three grounds:

1. the complaint must be concerning a matter under the purview of Student Government,
2. the complaint must be alleging a violation of an actionable part of Student Government law,
3. The petitioner must have followed proper procedure when submitting the complaint.

C. The Deputy Chief Justice must inform the Court of their decision and reasoning, in writing. Any member of the Primary Court may petition to hold a vote within two (2) business days after the Deputy Chief Justice makes a determination on the merit of the Judicial Complaint to overrule the Deputy Chief Justice's decision on merit. The Court needs a simple majority to overrule the Deputy Chief Justice's decision.

D. Upon a finding of merit, the Deputy Chief Justice shall call a designated hearing before the Primary Court to occur within fifteen (15) business days of the original filing of the complaint.

E. The plaintiff(s) and corresponding defendant(s) may elect student counsel. If so, they must notify the Primary Court upon the designation of a hearing date. Counselors shall serve at the discretion of the parties directly involved, and as such may be dismissed in writing to the Deputy Chief Justice at any time, for any reason.



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F. Should the Primary Court choose to recommend Articles of Impeachment as punitive action against a Student Government member, the recommendation is automatically sent as a matter to be reviewed by the Supreme Court for a majority vote in accordance with Article VII §1.

#### 507.6 The Supreme Court

A. The Supreme Court shall be composed of the Chief Justice and ~~three (3) Associate Justices appointed by the Chief Justice~~ the remaining Associate Justices not serving on the Primary Court

B. A student has the ability to request that the Supreme Court review the decision of the Primary Court. A student choosing to request an appeal must do so in writing to the Chief Justice within three (3) business days of the released decision. Supporting documentation should accompany all appeal requests.

C. All appeals shall be reviewed by the Chief Justice for merit within three (3) business days. The Chief Justice shall decide if the appeal has merit on three grounds:

1. Errors in the Primary Court hearing proceedings that substantially affected the outcome of the hearing.
2. The sanction(s) is (are) extraordinarily disproportionate to the violation committed.
3. New information that was not available at the time of the Primary Court hearing that substantially affected the outcome of the hearing.

D. The Chief Justice must inform the Court of their decision and reasoning, in writing. Any member of the Court may petition to hold a vote within two (2) business days after the Chief Justice makes a determination on the merit of the appeal to overrule the Chief Justice's decision on merit. The Court needs a simple majority to overrule the Chief Justice's decision.

E. Upon finding of merit, the Chief Justice shall call a designated hearing before the Supreme Court to occur within ten (10) business days of the original filing of the appeal. The Associate Justices assigned to the Supreme Court may under no circumstance have presided over the original case at the Primary Court level.

F. On appeal, the burden of proof rests with the plaintiff to clearly demonstrate the validity of their appeal on the grounds for which they filed. The plaintiff may elect student counsel. If so, they must notify the Supreme Court upon the designation of a hearing date. Counselors shall serve at the discretion of the parties directly involved, and as such may be dismissed in writing to the Chief Justice at any time, for any reason.

G. The Supreme Court may affirm, modify, reverse the original hearing decision, or order that



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a new hearing will be held. Upon completion of the hearing, the Supreme Court shall release their decision within five (5) business days. All Supreme Court decisions are final and cannot be appealed further.

507.7 Formal Hearing Guidelines shall be established by the Judicial Policies and Procedures and shall govern the proceedings of all complaint cases.

### **Chapter 508: Procedural Matters**

508.1 The procedure for all Judicial Review processes shall be defined with the Judicial Policy and Procedures, as well as the Judicial Formal Hearing Guidelines.

### **Chapter 507: Judicial Decisions**

509.1 Upon completion of the hearing, the Judicial Branch, Primary Court, or Supreme Court shall release their decision within five (5) business days.

509.2 Repeal or reprieve of illegal actions

A. The Judicial Branch has the power to repeal any legislation or action that has been deemed unconstitutional or against statute.

B. The Judicial Branch has the power to reverse from any action that is in violation of the Student Government Constitution, Statute, or Policies and Procedures.

509.3 Freezing of A&S funds

A. The Judicial Branch has the authority to freeze any and all use of A&S fee funds for the duration of an investigation after the successful initiation of a Judicial Review Process if the Chief Justice rules such an action relevant. The Chief Justice's decision may be appealed to the Judicial Branch ~~Supreme Court~~.

B. Cases in which the proceedings involve an RSO or an individual acting on behalf of such an organization may result in the freezing of said organization's A&S Fee funds.

509.4 The Primary Court and Supreme Court shall have the power to make recommendations to the Senate for senate action against the accused or the complaint in question.

509.5 Both the Primary and Supreme Courts may impose reasonable punitive action against individuals found in violation of the Student Government Constitution, Statutes, and/or any of the Policies and Procedures, or any other governing document established therein.





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**Chapter 510: Appearance of Witnesses**

**510.1 Notice to Appear**

A. The Chief Justice, Deputy Justice, and/or designee shall notify all parties designated by the Primary Court or Supreme Court of the occasion, time, and place of the proceedings and shall:

B. Direct all student parties to appear before the Court at the time and place specified.

C. Request all non-student parties to appear before the Court at the time and place so specified.

**510.2** Failure by a student party to comply with the directive to appear before the Court, without reasonable cause, shall result in the initiation of non-compliance.

**Chapter 511: Student's Rights**

**511.1 Power of the Court**

A. No right guaranteed by the Constitutions of the United States of America or the State of Florida or by the Constitution of the University of North Florida shall be abridged by any judicial proceeding.

**511.2** Any party appearing before the Court shall have the following rights:

A. To be given notice and explanation, both oral and written, of pertinent procedures, specific alleged violations, punitive measures that may result there from, and all rights guaranteed by Statutes.

B. To present witnesses and evidence at said hearings.

C. To cross-examine all witnesses involved in the proceedings.

D. To receive a written explanation of the Court's decision and the rationale for the recommendation pursuant thereto.

**Chapter 512: Partisanship**

No member of the Judicial Branch shall actively or passively campaign or support any candidate for elective office, or act in any partisan manner. Members of the Judiciary may vote in Student Government elections.



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#### TITLE VII: THE ENFORCEMENT STATUTE

##### **Chapter 700: Enforcement**

700.1 Enforcement of the Student Government Constitution and System of Statutes as well as all policies, procedures, Legislative acts, Judicial Decisions, and Executive Acts created within their bounds shall be accomplished under the provisions of this title.

700.2 Noncompliance shall be defined as the failure or refusal to comply, whether intentional or not, with the Student Government Constitution and by extent the System of Statutes, and/or any policy, procedure, Legislative act, Judicial Decision, or Executive Acts created within their bounds. An issue of noncompliance shall constitute grounds for a Judicial Complaint to be filed in the matter.

700.3 Subpoena shall be defined as an order issued by the Legislative Branch as prescribed by law compelling the attendance of any person(s) and/or the production of documents or other materials in question at a proceeding for questioning.

700.4 Those subject to enforcement under this Title are:

A. All Student Government funded entities and members thereof, and;

B. All Student Government Committees, and members thereof, and;

C. All elected and appointed members of Student Government.

##### **Chapter 701: Subpoena**

701.1 The authority to issue a Legislative Subpoena shall be vested in the following offices:

A. The Senate President, by order.

B. The B&A Committee, through unanimous consent.

C. The GO Committee, through unanimous consent.

D. Any eight (8) Senators, by order.

701.2 Subpoenas must be issued allowing at least five (5) business days for the subject to comply.



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701.3 All subpoenas shall adhere to the following format regulations:

- A. Be issued to a specific person(s) via email and in print, and;
- B. Be issued in the form of a memorandum, and;
- C. Begin with the phrase, "By order of (insert authority/issuer) you are hereby subpoenaed to appear before (insert name appropriate of committee/court/tribunal) on (insert date) at (insert time) in reference to your involvement in/with (insert brief description of issue in question). If you cannot comply due to a confirmed conflict with a class you are currently enrolled in, reasonable accommodation will be provided to you. If you cannot comply due to an extenuating circumstance, reasonable accommodation will be provided to you, subject to approval by the Senate President."

701.4 Issuance of a subpoena shall be limited in scope to a single matter in question.

701.5 Subpoenas shall require only that a person(s) attend or present materials at a meeting to participate in a Subpoena Hearing.

A. Subpoena Hearings shall abide by the following agenda and may be held as items of new business within other agendas:

1. Opening statement given by the presiding officer.
2. Opening statements given by person(s) subpoenaed.
3. Reasonable time given for questioning of the subpoenaed by members of the presiding body.
4. Reasonable time for students to question the subpoenaed may be provided if so ordered within the subpoena.
5. Hearing closed by presiding officer and floor opened for motions.

701.6 Refusal to comply with a subpoena shall constitute noncompliance against Title VII. Hearings may take place without the subject if the subject refuses to comply.

### **Chapter 702: Grounds for Removal of a Student Government Officer**

702.1 Grounds for removal of a Student Government Officer shall be limited to the following as stated in Article VII of the Student Government Constitution:

- A. Malfeasance, which shall be defined as "a wrongful, unlawful, and/or dishonest act committed" by an elected or appointed member of Student Government.



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- B. Misfeasance, which shall be defined as "a lawful act performed in a wrongful manner" by an elected or appointed member of Student Government.
- C. Neglect of duty, which shall be defined as nonfeasance, is "the failure to act when a duty to act existed".
- D. Incompetence, which shall be defined as "The state or fact of being unable or unqualified to do something".
- E. Permanent inability to preform official duties.
- F. Conviction of felony within the justice system of the United States of America.

**Chapter 703: Impeachment**

703.1 In accordance with the Student Government Constitution, Article VII Section 1, any member of Student Government shall be removed from office through impeachment if Articles of Impeachment are enacted, according to law, against them.

703.2 Articles of Impeachment shall:

- A. Be addressed concerning a single individual beginning with the phrase, "By order of (insert appropriate authorities) the following Student Government member, (insert name of member being impeached along with their title) is hereby impeached from office under the following articles:"
- B. Contain a section enumerating the grounds on which the Student Government member is being impeached, and;
- C. Contain a section summarizing the charges levied that constitute grounds for removal along with any evidence brought forward, and;
- D. Conclude with an enactment clause that resolves the decision of the proper authorities as outlined under Chapters 703.3, 703.4, and 703.5 allowing the Articles to take effect immediately.

703.3 Impeachment of an Executive Branch member:

- A. ~~The Supreme Court~~ Judicial Branch may choose to recommend that the Senate pass Articles of Impeachment against a member of the Executive Branch convicted under a Judicial Complaint as part of their sentencing measures.



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- 440 1. If Articles of Impeachment are recommended by the ~~Supreme Court~~ Judicial Branch, the  
441 recommendation shall be forwarded to the Senate to be placed on the agenda of the next  
442 upcoming Senate meeting, if possible. The Senate President shall subpoena the convicted  
443 to appear before the Senate when the recommendation is heard to answer to the charges  
444 held against them therein.  
445
- 446 2. The Senate shall hold the Subpoena Hearing within the next upcoming meeting, if no  
447 confirmed class conflict exists for the accused officer, after which a motion to approve  
448 Articles of Impeachment may be made. Passage may only occur by two-thirds (2/3) vote.  
449
- 450 3. If the Articles of Impeachment are passed by the Senate, the impeached officer shall be  
451 removed from office immediately.  
452  
453
- 454 B. Any Senator may choose to present Articles of Impeachment against a member of the  
455 Executive Branch before the full Senate.  
456
- 457 1. If Articles of Impeachment are presented the presiding officer shall immediately call for  
458 a motion to hear the Articles, then;  
459
- 460 2. If the motion to hear the Articles passes by majority vote, the Senate President shall  
461 subpoena the accused to appear before the Senate when the Articles are to be heard to  
462 answer to the charges alleged against them therein, then;  
463
- 464 3. The Senate shall hold the Subpoena Hearing within the next upcoming Senate meeting, if  
465 no confirmed class conflict exists for the accused officer, after which a Senator may motion  
466 to approve the Articles of Impeachment. Passage may only occur by two-thirds (2/3) vote.  
467
- 468 4. If the Articles of Impeachment are adopted by the Senate, they shall be forwarded to  
469 the ~~Supreme Court~~ Judicial Branch. The ~~Court Branch Court~~ shall call and hold a Judicial  
470 Review Hearing to review the Articles. The accused must appear before the ~~Council Court~~  
471 when the Articles are to be heard. The Judicial Review Hearing shall occur during or before  
472 the next upcoming ~~Supreme Court~~ Judicial Branch meeting following the passage of the  
473 Articles of Impeachment by the Senate. Reasonable accommodation shall be made for  
474 the accused officer.  
475
- 476 5. Following the Judicial Hearing, a Justice may motion to adopt the Articles of Impeachment.  
477 Adoption may occur by majority vote.  
478
- 479 6. If the Articles of Impeachment are adopted by the ~~Supreme Court~~ Judicial Branch, the  
480 impeached officer shall be removed from office immediately.  
481
- 482 C. Executive Staff members are not subject to impeachment, and may be dismissed by the



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President at any time, for any reason.

#### 703.4 Impeachment of a Legislative Branch member

A. ~~The Supreme Court~~ Judicial Branch may choose to recommend that the Senate pass Articles of Impeachment against a member of the Legislative Branch convicted under a Judicial Complaint as part of their sentencing measures.

1. If Articles of Impeachment are recommended by the ~~Supreme Court~~ Judicial Branch, the recommendation shall be forwarded to the Senate to be placed on the agenda of the next upcoming Senate meeting, if possible. The Senate President shall subpoena the convicted to appear before the Senate when the recommendation is heard to answer to the charges held against them therein.
2. The Senate shall hold the Subpoena Hearing, after which a Senator may motion to approve the Articles of Impeachment. Passage may only occur by two-thirds (2/3) vote.
3. If the Articles of Impeachment are passed by the Senate, the impeached officer shall be removed from office immediately.

B. Any Senator may choose to present Articles of Impeachment against a member of the Legislative Branch before the full Senate.

1. If Articles of Impeachment are presented the presiding officer shall immediately call for a motion to hear the Articles, then;
2. If the motion to hear the Articles passes by majority vote, the Senate President shall subpoena the accused to appear before the Senate when the Articles are to be heard to answer to the charges alleged against them therein, then;
3. The Senate shall hold the Subpoena Hearing within the next upcoming Senate meeting, if no confirmed class conflict exists for the accused officer, after which a Senator may motion to approve the Articles of Impeachment. Passage may only occur by two-thirds (2/3) vote.
4. If the Articles of Impeachment are passed by the Senate, they shall be forwarded to the ~~Supreme Court~~ Judicial Branch. The Court ~~shall call and hold~~ a Judicial Review Hearing to review the Articles. The accused must appear before the ~~Council Court~~ when the Articles are to be heard. The Judicial Review Hearing shall occur during or before the next upcoming ~~Supreme Court~~ Judicial Branch meeting following the adoption of the Articles of Impeachment by the Senate. Reasonable accommodation shall be made for the accused officer.



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533 703.5 Impeachment of a Judicial Branch Member  
534  
535 A. Any Senator may choose to present Articles of Impeachment against a member of the Judicial  
536 Branch before the full Senate.  
537  
538 1. If Articles of Impeachment are presented the presiding officer shall immediately call for  
539 a motion to hear the Articles, then;  
540  
541 2. If the motion to hear the Articles passes by majority vote, the Senate President shall  
542 subpoena the accused to appear before the Senate when the Articles are to be heard to  
543 answer to the charges alleged against them therein, then;  
544  
545 3. The Senate shall hold the Subpoena Hearing within the next upcoming meeting, after which  
546 a Senator may motion to approve the Articles of Impeachment. Passage may only occur by  
547 two-thirds (2/3) vote.  
548  
549 4. If the Articles of Impeachment are passed by the Senate, they shall be forwarded to  
550 the President for approval or veto within five (5) business days.  
551  
552 5. If the Articles of Impeachment are approved by the President, the impeached officer shall be  
553 removed from office immediately.  
554  
555 6. If the President vetoes the Articles of Impeachment, they shall return to the Senate and be  
556 placed on the agenda of the next upcoming Senate meeting.  
557  
558 7. The Senate may, by three-fourths (3/4) vote, chose to override the President's veto and  
559 pass the Articles of Impeachment.  
560  
561 8. Should the Senate override the President's veto and pass the Articles of impeachment  
562 by three-fourths (3/4) vote, the impeached officer shall be removed from office  
563 immediately.  
564  
565 B. The President may choose to submit Articles of Impeachment against a member of the Judicial  
566 Branch to the Senate President.  
567  
568 1. If the President submits Articles of Impeachment to the Senate President, her or she shall



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subpoena the accused to appear before the Senate at the next upcoming Senate meeting, if no confirmed class conflict exists for the impeached officer, then;

2. The Senate shall hold the Subpoena Hearing within the next upcoming meeting, if possible, after which a Senator may motion to approve the Articles of Impeachment. Passage may only occur by two-thirds (2/3) vote.
3. If the Articles of Impeachment are passed by two-thirds (2/3) vote of the Senate, the impeached officer shall be removed from office immediately.

### TITLE XI: EXECUTIVE AGENCIES

#### Chapter 1101 The Agency Advisory Board

1101.5 The Agency Advisory Board may recommend the removal of an Agency Director or Assistant Director. A two-thirds (2/3) vote is required from the Agency Advisory Board to recommend dismissal to the President, ~~or impeachment to the Senate. The Senate shall follow the impeachment procedure outlined in Title VII. The recommendation of the Agency Advisory Board is not binding on the President and/or the Senate.~~

#### Chapter 1103 Operations

1103.3 All Agencies shall have an Assistant Director

A. The Assistant Director's duties shall be defined in the Agency's individual Chapter.

B. In the event that the Assistant Director position becomes vacant, the Agency Advisory Board shall meet and make a recommendation on a replacement for the position to the President. The candidate shall be the acting Assistant Director once appointed by the President.

1103.4 The supervision and regulation of the Agencies is the responsibility of the President, who may delegate the responsibility to the Vice President.

1103.5 Agency Directors/Assistant Directors are responsible for the hiring and dismissal of their own staff.

~~1103.5~~ 1103.6 The President may ultimately dismiss any Agency Director or Assistant Director/Executive Agency staff at any time, for any reason.

~~1103.6~~ 1103.7 Pursuant to the A&S Fee Guidelines, the Senate shall have allocation and reversionary authority in all-budgetary matters pertaining to Agencies.





# SENATE LEGISLATION

## OB-18SA-3301

### OB-18SA-3301: Clarification of the Removal Process

608 Therefore: Let it be enacted that the aforementioned amendments to Title V, Title VII, and Title XI  
609 be made effective July 1, 2018.

610

#### Legislative Action

611

612

Author: Attorney General Choi, Deputy Chief Justice Valentine

Sponsor: Senate President Pro Tempore Vargas

Committee: Constitution & Statutes Committee

Committee Action: 2-0-0

Date of Committee Action: 6-15-18

Senate Action: 11-0-0

Date of Action: 5-22-18

Signed and Delivered to the Student Body President

on this 25<sup>th</sup> day of June, 2018

Place Time Stamp Here

Thomas Pluchon, Student Senate President

#### Executive Action

Let it be known that OB-18SA-3301 is hereby

APPROVED / VETOED

on this 26<sup>th</sup> day of June, 2018.

Signed, [Redacted Signature]

Jenna DuPilka, Student Body President

Signed and Delivered to the Senate Secretary

Place Time Stamp Here